



GENERAL ASSEMBLY

COMMONWEALTH OF KENTUCKY

2013 REGULAR SESSION

HOUSE BILL NO. 145

THURSDAY, FEBRUARY 28, 2013

The following bill was reported to the Senate from the House and ordered to be printed.

RECEIVED AND FILED
DATE March 21, 2013
3:32 pm

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY L. Adler

1 AN ACT relating to civil actions.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 413.140 is amended to read as follows:

4 (1) The following actions shall be commenced within one (1) year after the cause of
5 action accrued:

6 (a) An action for an injury to the person of the plaintiff, or of her husband, his
7 wife, child, ward, apprentice, or servant;

8 (b) An action for injuries to persons, cattle, or other livestock by railroads or other
9 corporations, with the exception of hospitals licensed pursuant to KRS
10 Chapter 216;

11 (c) An action for malicious prosecution, conspiracy, arrest, seduction, criminal
12 conversation, or breach of promise of marriage;

13 (d) An action for libel or slander;

14 (e) An action against a physician, surgeon, dentist, or hospital licensed pursuant
15 to KRS Chapter 216, for negligence or malpractice;

16 (f) A civil action, arising out of any act or omission in rendering, or failing to
17 render, professional services for others, whether brought in tort or contract,
18 against a real estate appraiser holding a certificate or license issued under
19 KRS Chapter 324A;

20 (g) An action for the escape of a prisoner, arrested or imprisoned on civil process;

21 (h) An action for the recovery of usury paid for the loan or forbearance of money
22 or other thing, against the loaner or forbearer or assignee of either;

23 (i) An action for the recovery of stolen property, by the owner thereof against any
24 person having the same in his possession;

25 (j) An action for the recovery of damages or the value of stolen property, against
26 the thief or any accessory;[and]

27 (k) An action arising out of a detention facility disciplinary proceeding, whether

1 based upon state or federal law; and

2 (l) An action for damages arising out of a deficiency, defect, omission, error,
 3 or miscalculation in any survey or plat, whether brought in tort or contract,
 4 against a licensed professional land surveyor holding a license under KRS
 5 Chapter 322.

6 (2) In respect to the action referred to in paragraph (e) of subsection (1) of this section,
 7 the cause of action shall be deemed to accrue at the time the injury is first
 8 discovered or in the exercise of reasonable care should have been discovered;
 9 provided that such action shall be commenced within five (5) years from the date on
 10 which the alleged negligent act or omission is said to have occurred.

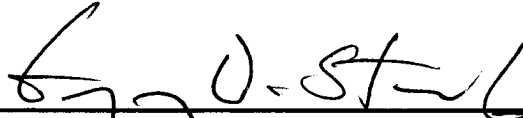
11 (3) In respect to the action referred to in paragraph (f) or (l) of subsection (1) of this
 12 section, the cause of action shall be deemed to accrue within one (1) year from the
 13 date of the occurrence or from the date when the cause of action was, or reasonably
 14 should have been, discovered by the party injured.

15 (4) In respect to the action referred to in paragraph (h) of subsection (1) of this section,
 16 the cause of action shall be deemed to accrue at the time of payment. This limitation
 17 shall apply to all payments made on all demands, whether evidenced by writing or
 18 existing only in parol.

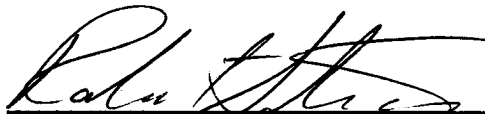
19 (5) In respect to the action referred to in paragraph (i) of subsection (1) of this section,
 20 the cause of action shall be deemed to accrue at the time the property is found by its
 21 owner.

22 (6) In respect to the action referred to in paragraph (j) of subsection (1) of this section,
 23 the cause of action shall be deemed to accrue at the time of discovery of the
 24 liability.


25 (7) In respect to the action referred to in paragraph (k) of subsection (1) of this section,
 26 the cause of action shall be deemed to accrue on the date an appeal of the
 27 disciplinary proceeding is decided by the institutional warden.



Speaker-House of Representatives



President of Senate

Attest: 

Chief Clerk of House of Representatives

Approved 

Governor

Date 3-21-13